



PATENT
Docket No. 342312001302

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Dated:

9/10/03

Signature:

(Tamara Alcaraz)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Dinesh PATEL et al.

Serial No.: 09/738,859

Filing Date: December 13, 2000

For: NOVEL SUCCINATE COMPOUNDS,
COMPOSITIONS AND METHODS OF
USE AND PREPARATION

Examiner: T. A. Solola

Group Art Unit: 1626

**INFORMATION DISCLOSURE
STATEMENT UNDER 37 C.F.R. § 1.97 & 1.98**

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, Applicants submit for consideration in the above-identified application the documents listed on the attached Form PTO-1449. Copies of documents numbered 94-96, 103, 108, 119-120, and 141 are submitted herewith. However, copies of the remaining documents cited in the attached Form PTO-1449 were previously submitted in an Information Disclosure Statement directed to the related application Serial

Number 09/466,402, filed December 17, 1999, which was converted to a provisional application Serial Number 60/266,329, filed December 17, 1999, and, accordingly, copies are not included herewith. This protocol conforms with 37 C.F.R. §1.98(d) and M.P.E.P. 609(A)(2). The Examiner is requested to make these documents of record in the application.

This Information Disclosure Statement is submitted:

- ☒ With the application; accordingly, no fee or separate requirements are required. Before the mailing of a first Office Action after the filing of a Request for Continued Examination under § 1.114.
- ☐ Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required.
- ☐ After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.
 - ☐ A fee is required. A check in the amount of __ is enclosed.
 - ☐ A fee is required. Accordingly, a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below; accordingly; no fee is believed to be due.
- ☐ After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below and a check in the amount of __ is enclosed.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below and a Fee Transmittal form (PTO/SB/17 is attached to this submission in duplicate.)

Applicants would appreciate the Examiner initialing and returning the Form PTO-1449, indicating that the information has been considered and made of record herein.

The information contained in this Supplemental Information Disclosure Statement under 37 C.F.R. § 1.97 and § 1.98 is not to be construed as a representation that: (i) a complete search

has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal form is separated from this document and the Patent Office determines that an extension and/or other relief is required, Applicants petition for any required relief including extensions of time and authorize the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing 342312001302. However, the Assistant Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: September 10, 2003

Respectfully submitted,

By: 
Lorna Tanner
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Form PTO-1449

Docket Number 342312001302

Application Number 09/738,859

INFORMATION DISCLOSURE CITATION
IN AN APPLICATION

Inventors

Dinesh PATEL et al.

Filing Date December 13, 2000

Group Art Unit 1626

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Examiner Name T. A. Solola

(Use several sheets if necessary)

U.S. PATENT DOCUMENTS

Examiner Initials	Ref. No.	Document Date (MM/DD/YYYY)	Document No.	Name	Filing Date If Appropriate
	1.	01/19/1965	3,166,587	Bernstein et al.	
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	8.	03/10/1992	5,095,126	Witiak et al.	
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	11.	06/07/1994	5,318,964	Broadhurst et al.	
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	25.	07/01/1997	5,643,964	Dickens et al.	

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PTO/SB/ 08 (04-03)

Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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(Use several sheets if necessary)

26.	07/29/1997	5,652,262	Crimmin et al.
27.	09/23/1997	5,670,136	Bacon et al.
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34.	05/05/1998	5,747,514	Beckett et al.
35.	05/19/1998	5,753,671	Miller et al.
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Form PTO-1449 INFORMATION DISCLOSURE CITATION IN AN APPLICATION (Use several sheets if necessary)	Docket Number 342312001302	Application Number 09/738,859
	Inventors Dinesh PATEL et al.	
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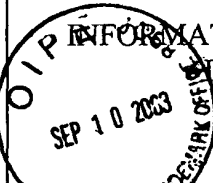
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	60.	06/22/1983	0 082 088	Europe	Abstract	
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	97.	Beckett, R. Paul et al., (February 1993) "A Short Diastereoselective Synthesis of 2,3-Disubstituted Succinates" <i>SYNLETT</i> , pp. 137-138.
	98.	Broadhurst, M.J. et al., (1997) "Design and Synthesis of the Cartilage Protective Agent (CPA, Ro32-3555) <i>Bioorganic & Medicinal Chemistry Letters</i> 7(17): 2299-2302.
	99.	Chan, Michael K. et al., (1997) "Crystal Structure of the Escherichia coli Peptide Deformylase" <i>Biochemistry</i> 36:13904-13909.
	100.	Cotter, Cheryl S. et al, (October 1996) "Inhibition of proteases in Pseudomonas otitis media in chinchillas" <i>Otolaryngology-Head and Neck Surgery</i> , 115(4): 342-351.
	101.	Cushman, David W. and Ondetti, Miguel A. (1980) "Chapter 2: Inhibitors of Angiotensin-Converting Enzyme" in <i>Progress in Medicinal Chemistry</i> Vol. 17, G. P. Ellis and G. B. West (ed.), Elsevier/North-Holland Biomedical Press, pp. 41-104.

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102.	Cushman, D. W. et al., (1977) "Design of Potent Competitive Inhibitors of Angiotensin-Converting Enzyme. Carboxyalkanoyl and Mercaptoalkanoyl Amino Acids" <i>Biochemistry</i> 16:5484-5491.		
103.	Czapski, G. and Goldstein, S. (1990) "Superoxide Scavengers and Sod or Sod Mimics," <i>Adv. Exper. Med. & Biol.</i> 264:45-50.		
104.	Dardel, Frederic et al. (1998) "Solution Structure of Nickel-peptide Deformylase" <i>J. Mol. Biol.</i> 280:501-513.		
105.	Decicco, Carl P. et al., (June 1995) "An Improved Asymmetric Synthesis of Piperazic Acids: Retro-Reaction in the Chiral Oxazolidinone Controlled Di-Azo Addition Reaction in a Dipolar Aprotic Medium" <i>SYNLETT</i> , pp. 615-616.		
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107.	Dupont Merck Pharm. Co. (1996) "Patent Evaluation: Pulmonary-Allergy, Dermatological, Gastrointestinal & Arthritis: Matrix Metalloproteinase Inhibitors" for WO 95/29892 <i>Exp. Opin. Ther. Patents</i> 6(5):499-501		
108.	Foye, W. O. (1981) "Chapter 37: Radioprotective Drugs," <i>Burgers Med. Chem.</i> 4th Edition, 3:11, 22, 29-35, 39, 44.		
109.	Fujii, Hideji et al., (1996) "Inhibition of Tumor Cell Invasion and Matrix Degradation by Aminopeptidase Inhibitors" <i>Biol. Pharm. Bull.</i> 19(1):6-10.		
110.	Galardy, Richard E., (1993) "Galardin™: Antiinflammatory Protease Inhibitor" <i>Drugs of the Future</i> 18(12):1109-1111		
111.	Giglion, Carmela et al., (2000) "Peptide Deformylase as a Target for New Generation, Broad Spectrum Antimicrobial Agents" <i>Molecular Microbiology</i> 36(6):1197-1205.		
112.	Gordon, James J. et al., (1975) "Studies concerning the Antibiotic Actinonin. Part I. The Constitution of Actinonin. A Natural Hydroxamic Acid with Antibiotic Activity" <i>J.C.S. Perkin I</i> , pp. 819-860.		
113.	Haruyama, Hideyuki et al., (December 1994) "Matlystatins, New Inhibitors of Type IV Collagenases from <i>Actinomadura atramentaria</i> " <i>The Journal of Antibiotics</i> 47(12):1473-1480.		
114.	Hu, Yun-Jin et al., (1999) "Determination of Substrate Specificity for Peptide Deformylase through the Screening of a Combinatorial Peptide Library" <i>Biochemistry</i> 38: 643-650.		
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116.	Jacobson, Irina C. et al., (1996) "Asymmetric Reactions of Chiral Imide Enolates with α -Keto Esters" <i>Tetrahedron Letters</i> , 37(46):8263-8266.		
117.	Levy, Daniel E. et al., (1998) "Matrix Metalloproteinase Inhibitors: A Structure-Activity Study" <i>J. Med. Chem.</i> 41:199-223.		
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- | | |
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| 118. | Linderman, Russell, J. et al., (1992) "A Direct Conversion of (α -Hydroxyalkyl)silanes to Carboxylic Acids" <i>Tetrahedron Letters</i> , 33(45): 6767-6770. |
| 119. | Matsushita, T. and Shono, T. (1981) "Reactions of Manganese (III) Schiff Base Complexes With Superoxide Ion in Dimethyl Sulfoxide," <i>Bull. Chem. Soc. Jpn.</i> 54:3743-3748. |
| 120. | Matsushita, T. et al., (1981) "The Preparation and Characterization of Dichloromanganese (IV) Schiff Base Complexes," <i>Bull. Chem. Soc. Jpn.</i> 54(9):2646-2651. |
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| 123. | Nugiel, David A. et al., (1995) "Probing the P3' Pocket of Stromelysin with Piperazic Acid Analogs" <i>Bioorganic & Medicinal Chemistry Letters</i> 5(24): 3053-3056. |
| 124. | Ogita, Takeshi, et al., (1992) "Matlystatins, New Inhibitors of Type IV Collagenases from <i>Actinomadura Atramentaria</i> " <i>The Journal of Antibiotics</i> 45(11):1723-1732. |
| 125. | Ragusa, Stephane et al., (1999) "Substrate Recognition and Selectivity of Peptide Deformylase. Similarities and Differences with Metzincins and Thermolysin" <i>J. Mol. Biol.</i> 289:1445-1457. |
| 126. | Steinman, Douglas et al., (1998) "The Design, Synthesis, and Structure-Activity Relationships of a Series of Macrocyclic MMP Inhibitors" <i>Bioorganic & Medicinal Chemistry Letters</i> 8:2087-2092. |
| 127. | Tamaki, Kazuhiko et al., (January 1995) "Total Synthesis and Inhibitory Activity against Gelatinase B of YL-01869P" <i>The Journal of Antibiotics</i> 48(1):87-88. |
| 128. | Tamaki, Kazuhiko et al., (December 1994) "Matlystatins, New Inhibitors of Type IV Collagenases from <i>Actinomadura atramentaria</i> " <i>The Journal of Antibiotics</i> 47(12):1481-1492. |
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138. DERWENT WPI Record of EP 0 082 088.

139. DERWENT WPI Record of DE 3320175.

140. DERWENT WPI Record for EP 0 342 325.

141. English translation of Japanese Patent Application No. 54-173822 filed on December 28, 1979, published on August 5, 1981, as publication no. 56-97266, 15 pages.

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